

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2579 OF 2018

SUNIL GANPATI SHINDE

)...PETITIONER

V/s.

THE STATE OF MAHARASHTRA & ORS.)...RESPONDENTS

Mr.Dhairyasheel Sutar, Advocate for the Petitioner.

Mrs.M.M.Deshmukh, APP for the Respondent - State.

**CORAM : INDRAJIT MAHANTY &
A. M. BADAR, JJ.**

DATE : 25th JUNE 2019

P.C. :

1 This is a petition for Habeas Corpus by father of a married daughter.

2 Marriage of daughter of the petitioner namely Puja was solemnized on 17th April 2016 with one Pramod Mohan Dubal. She came to her parental house and accompanied her

brother for purchasing clothes. She did not return after a lapse of considerable time. Hence, petitioner had given missing report on 1st March 2018. Accordingly, a complaint came to be registered on 1st March 2018.

3 We have heard the learned counsel appearing for the petitioner. He submitted that as the missing married daughter is not yet traced, the petition be kept pending and report be called from the concerned Officer. As against this, the learned APP has submitted affidavit of the Superintendent of Police, Kolhapur, and submitted that as of now, considering the seriousness of the subject matter, enquiry is handed over to Anti Human Trafficking Unit and all efforts for tracing out the missing person would be taken in future.

4 We have considered the submissions, so advanced, and also perused the record made available. It is seen that during this period, the Police Officer has recorded statement of about 24 witnesses including relatives of the missing person. The Police

Officer has visited various places where the petitioner had suspected presence of his daughter. Places visited by the Police Officer are Kolhapur, Sangli, Belgum, Solapur, Satara, Nipani, Ratnagiri etc. Apart from this, several cell phones were tracked in order to ascertain location of the missing person. During the course of enquiry, the Police Officer has interrogated friends of the missing person in order to trace her out. It was also reflected during the course of enquiry that missing person was not happy with her marriage and she had also left a chit at her house disclosing the fact that she does not want to cohabit with her husband and there should not be any attempt to trace her out. The said chit is also sent for obtaining report of Handwriting Expert on collecting natural handwriting of the missing person.

5 As of now, the case is transferred to Anti Human Trafficking Unit and it is reported that Assistant Police Inspector Smt.P.M.Shelke is making all necessary enquiries. The learned APP has submitted that even in future every possible effort will be made to trace out the missing person.

6 It is also seen by us that from time to time reports are submitted to this court reflecting the efforts on the part of the Police Officer to trace out the missing person.

7 As the case in hand is in respect of missing person and as it is seen that the Superintendent of Police, Kolhapur, is taking all necessary steps for tracing out the missing person, we dispose off the petition with a request to the Superintendent of Police, Kolhapur, to continue search of the missing person with the same sincerity in future.

(A. M. BADAR, J.)

(INDRAJIT MAHANTY, J.)